

EPILEPSY: SAFETY AT WORK

The health and safety of both employer and employee are of paramount importance in the work place, so initial steps to ensure both should include:

- an awareness of occupations closed to people with epilepsy.
- the employee's awareness of the implications of not disclosing medical conditions.
- awareness of the terms of the Disability Discrimination Act, 1995.
- awareness of driving restrictions imposed on people with epilepsy.
- a risk assessment of the work environment, any equipment, epilepsy type and seizure patterns.
- the involvement of all appropriate people – for example, an epilepsy fieldworker, the employer, an occupational health service worker, the GP, the epilepsy specialist, a Disability Employment Adviser, the Employment Medical Advisory Team.
- Epilepsy Awareness and First Aid training for all relevant personnel.
- awareness that the majority of people with epilepsy have their seizures completely controlled by medication.
- awareness that Employers Liability Insurance covers everyone in the workplace.

BACKGROUND INFORMATION

Epilepsy is a common neurological condition affecting about 1 person in every 200. Epilepsy is a tendency to have recurring seizures. Seizures occur as a result of a disturbance in the electrochemical activity of the brain which can affect the brain's control of the body, the person's thinking, memory and emotional responses. Seizures can take many forms which can have safety implications for the employee and those working around him or her.

THE DISABILITY DISCRIMINATION ACT (DDA) 1995

The Act defines a person with a disability as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. People with epilepsy are covered by the DDA and are entitled to claim discrimination if it occurs, provided they have previously disclosed their condition to their employer.

Under the DDA, an employer must not discriminate against a person with a disability in:

- recruitment and retention
- promotion and transfers
- training and development
- redundancy and dismissal processes.

ADJUSTMENTS

Under the terms of the DDA, employers must make “reasonable adjustments” to their premises or employment arrangements if these were to substantially disadvantage a person with a disability. Reasonable adjustments can be simple and inexpensive. To meet the needs of an employee with epilepsy, an employer may consider the following:

- awareness of possible seizure triggers, including stress and anxiety (particularly when starting a new job), tiredness, disturbed sleep, and environmental factors, e.g., lighting.
- approximately 5% of people with epilepsy are photosensitive. Their seizures are triggered by low-frequency flickering light, either natural (such as sunlight through railings or reflected off wet surfaces) or artificial (e.g., display screens), or by some geometric patterns. Modern traditional-style visual display unit (VDU) screens operate at a high frequency and are unlikely to trigger seizures; flats creens and LCD screens do not flicker at all. It’s good practice to provide anti-glare screens and encourage frequent breaks away from the VDU to prevent fatigue, which can trigger seizures. Ordinary light bulbs may be more suitable than fluorescent tubes and may reduce the risk of seizures in a person who has photosensitive epilepsy.
- time off for medical treatment/hospital appointments and flexibility while the employee adapts to any new treatment regime.
- flexible working hours and awareness of the possible impact of changing shift patterns on a person’s epilepsy.
- awareness that seizures and AEDs may sometimes affect memory, concentration and mood.
- with the employee’s agreement, provision of epilepsy awareness training or ensuring epilepsy is covered in disability awareness training for all employees.
- provision of a safe, comfortable recovery room.
- encouraging the employee to talk through any problems and make his or her own suggestions on how best to promote health and safety without discrimination or stigma.
- awareness of current driving regulations – is driving essential for the post? Could driving duties be re-allocated? Is public transport an option?

SUGGESTIONS FOR EMPLOYEES

A good understanding of your condition and how it affects you, adherence to your treatment plan and sensible lifestyle choices are good first steps to protecting your health and ensuring safety at work.

Generally, be open and honest about your epilepsy. Sharing information with your employer about your epilepsy may reduce risk to yourself and others should a seizure occur. It’s up to you to decide when and how to tell your employer that you have epilepsy. However deciding *not* to tell your employer about it may have health and safety implications for you and your colleagues. If you don’t disclose your condition you will not be covered by the terms of the Disability Discrimination Act.

Consider the following questions when deciding what to tell your employer about your epilepsy:

- How well are your seizures controlled?
- What kind of seizures do you experience?
- How frequently do your seizures occur?
- Do you get a warning or aura before a seizure?
- What happens before, during and after a seizure?
- How long do seizures last?
- How long is it before you are fully recovered?
- Are you aware of seizure triggers – e.g., stress, tiredness, shiftwork, lighting?
- What is the seizure pattern, e.g., do you fall?
- What help do you need during and after a seizure?
- Information about medication and about any other medical conditions?

RESTRICTED OCCUPATIONS

Although the majority of jobs are open to people with epilepsy, some occupations are restricted by legislation, so that only people who have no history of epilepsy are eligible. These include:

- pilot
- air traffic controller
- armed forces
- train driver
- fire-fighter
- lorry, bus or taxi driver
- ambulance driver.

Statutory restrictions can change and there may be flexibility (e.g., a person with epilepsy cannot be recruited as a fire-fighter but may be able to work in the fire service control room) so it's worth checking current guidelines with prospective employers or trade organisations.

Non-statutory restrictions may apply to other occupations depending on the type of work, degree of seizure control, type of seizures, side effects of anti-epileptic drugs (AEDs). Some types of work pose particular hazards to people with poorly controlled seizures. These include working:

- at heights
- near water
- with high voltage or open circuit electricity
- with unprotected machinery
- on or near moving vehicles
- with chemicals
- near sources of extreme heat
- in isolated places
- alone with babies, children or with frail or elderly people.

BRIEF NOTES ON UK DRIVING REGULATIONS

People with epilepsy can hold a valid ordinary driving licence provided that:

1. they have been seizure free for 12 months with or without AEDs **OR**
2. they have experienced seizures only during their sleep for at least the last 3 years **AND**
3. the Driver and Vehicle Licensing Agency (DVLA) is satisfied the person is not likely to be a danger on the road.

ALL seizures are included in the regulations, including

- those in which consciousness is not lost
- seizure warnings or “auras” which are, in fact, partial seizures.

To qualify for an LGV (large goods vehicle) or PCV (passenger carrying vehicle) licence a person must have been seizure-free and medication-free for at least 10 years, and the DVLA must be satisfied that there is no likelihood of further seizures. These rules also apply to anyone wanting to drive 9-16 seat minibuses and vehicles weighing between 3.5 and 7.5 tonnes in the course of their work. Some local authorities apply similar medical rules to anyone applying for a taxi/hackney carriage licence.

For more information, contact:

Drivers Medical Group

Driver and Vehicle Licensing Agency
Swansea SA99 1TU

Tel: 0870 600 0301

Fax: 0845 850 0095

Email: eftd@dvla.gsi.gov.uk

Web: <http://www.dvla.gov.uk>

For more information about seizures and how they can affect people see leaflet one in this series: **‘What is epilepsy? An introduction’**. For more information on managing seizures, see leaflet four in this series: **‘What to do when someone has a seizure’**. For more information on epilepsy and the driving regulations in the UK, see leaflet eighteen in this series: **‘Epilepsy and driving’**.

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Epilepsy Research UK

PO Box 3004
London W4 4XT

Tel/Fax: 0208 995 4781

Email: info@eruk.org.uk

Website: www.epilepsyresearch.org.uk

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